

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 10-3431

DENNIS A. RHODES; GERARD A. BENDER; EDWARD H. WOLFERD, JR.,
individually and on behalf of all others similarly situated,
Appellants

v.

ROSEMARY DIAMOND; FRANCIS S. HALLINAN; DANIEL G. SCHMIEG;
LAWRENCE T. PHELAN; JUDITH T. ROMANO; FRANCIS FEDERMAN;
THOMAS M. FEDERMAN; PHELAN HALLINAN & SCHMIEG, LLP;
FEDERMAN & PHELAN, LLP

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. No. 09-cv-01302)
District Judge: Honorable C. Darnell Jones, II

Submitted Under Third Circuit LAR 34.1(a)
April 26, 2011

Before: BARRY, HARDIMAN and NYGAARD, *Circuit Judges*.

JUDGMENT

This cause came on to be considered on the record from the United States District Court for the Eastern District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) on April 26, 2011. On consideration whereof, it is now hereby


ORDERED and ADJUDGED by this Court that the judgment of the United States District Court for the Eastern District of Pennsylvania entered July 15, 2010, be and the same is hereby VACATED and REMANDED. All of the above in accordance with the opinion of this Court. No costs shall be taxed.

ATTEST:

/s/Marcia M. Waldron

Clerk

Dated: April 28, 2011

The seal of the United States Court of Appeals for the Third Circuit is circular. It features an eagle with spread wings perched atop a shield. The shield is divided into sections, with a constellation of stars in the upper left. The words "UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT" are inscribed around the perimeter of the seal.
Certified as a true copy and issued in lieu
of a formal mandate on 06/02/2011

Teste: *Marcia M. Waldron*

Clerk, U.S. Court of Appeals for the Third Circuit